

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/528,976	FLEHMIG ET AL.	
	Examiner Debra Wolfe	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Amendment filed June 1, 2007.

2.  The allowed claim(s) is/are 1-18.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 06/01/2007
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.



DERRIS H. BANKS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700  
Paper No./Mail Date 06202007



### **NOTICE OF ALLOWABILITY**

1. It is the opinion of the examiner that the art of record (considered as a whole) neither anticipates nor renders obvious "the bending sleeve is supported such that it can be eccentrically pivoted about a first hinge point of a rocker by means of the carrier element, wherein the rocker, in turn, is supported such that it can be pivoted about a second hinge point that is arranged eccentric to the longitudinal axis of the profile on the same side of the profile as the first hinge point, and the carrier element is held in a guide groove on the opposite side of the profile referred to the hinge points, namely such that the inner surface region of the bending sleeve that acts upon the outside of the profile in a bending fashion is, discounting the resilience of the profile, always aligned tangential referred to a circular arc that corresponds to the respectively desired bending radius when changing the position of the part of the carrier element that is supported in the guide groove" in combination with the rest of the claimed limitations set forth in independent claim 1.

Searching by the examiner yielded prior art as follows:

2. Kawanami et al (US Patent # 4,412,442) discloses a method for bending a pipe with an apparatus having a driving means for driving a tube towards a heater and then into a bending arm, which is pivoted about a point to bend the tube to a desired angle.

Ogasawara et al (JP Patent # 04284923A) discloses a bending device having a fixed die (1) and a movable die (2) comprising of a die unit (5) positioned between die units (4,6) within the movable die. The movable die is pivoted about an axis to bend the pipe to a desired degree while the pipe is held in the fixed die (1).

Murata (US Patent # 5,111,675) discloses a penetration bending machine having a guide cylinder (2) and a die (3) having a bearing portion (3a) that permits a pivoting movement when a



tube is pushed through the guide cylinder and bearing portion thereby bending the tube to a desired angle.

3. The above cited prior art fails to disclose "the bending sleeve is supported such that it can be eccentrically pivoted about a first hinge point of a rocker by means of the carrier element, wherein the rocker, in turn, is supported such that it can be pivoted about a second hinge point that is arranged eccentric to the longitudinal axis of the profile on the same side of the profile as the first hinge point, and the carrier element is held in a guide groove on the opposite side of the profile referred to the hinge points, namely such that the inner surface region of the bending sleeve that acts upon the outside of the profile in a bending fashion is, discounting the resilience of the profile, always aligned tangential referred to a circular arc that corresponds to the respectively desired bending radius when changing the position of the part of the carrier element that is supported in the guide groove". Therefore, it is concluded that claim 1 of the present invention is allowable subject matter over the prior art. Claims 1-18 are allowed.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra Wolfe whose telephone number is (571) 272-1904. The examiner can normally be reached Monday - Thursday 7am - 4:30pm with alternating Friday 7am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra Wolfe  
Examiner  
Art Unit 3725

A handwritten signature in black ink, appearing to read "Derris H. Banks".

DERRIS H. BANKS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700